

United States Courts
Southern District of Texas
FILED



FEB 09 2006

Michael N. Milby, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

PAPPAS RESTAURANTS, INC.,

Plaintiff,

v.

ROMAN'S FOOD INC. d/b/a
PAPACITO'S CANTINA, and JAMAL
MOHAMMAD ROMAN,

Defendants.

Civil Action No: H-05-2991

JURY TRIAL REQUESTED

PLAINTIFF'S UNOPPOSED MOTION FOR ENTRY OF JUDGMENT

Plaintiff Pappas Restaurants, Inc., and defendants Roman's Food, Inc., and Jamal Mohammad Roman have agreed to settlement of the dispute that is the subject of this action, as indicated by the signatures of their respective counsel on the Consent Judgment of Permanent Injunction and Other Relief annexed hereto.

The grounds for entering the Consent Judgment of Permanent Injunction and Other Relief are as follows:

1. This civil action for trademark counterfeiting, trademark infringement, trademark dilution, copyright infringement, and unfair competition was filed August 24, 2005.
2. Settlement of this matter avoids the need for further proceedings in this litigation. In pertinent part, the Consent Judgment provides that the defendants will no longer use the infringing name and mark, each side will bear its own attorneys' fees and costs, and the court will retain jurisdiction to enforce the terms of the Consent Judgment.

3. For the foregoing reasons, the parties believe that good cause exists for entering the attached Consent Judgment of Permanent Injunction and Other Relief.

4. This motion is made by plaintiff, as defendants' counsel has not appeared in this action, but defendants' agreement to entry of this judgment is indicated by their counsel's signature on the annexed judgment.

Respectfully submitted,

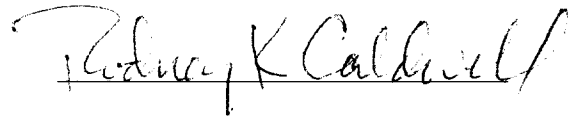
DATED: February 9, 2006

By Rodney K Caldwell

Rodney K. Caldwell
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CERTIFICATE OF CONFERENCE

Plaintiff's counsel has been authorized by defendants' counsel to advise the court that, as he has not yet entered an appearance in this action he did not believe he was authorized to join in this motion; however, defendants' counsel stated that the motion was not opposed and he has signed the Consent Judgment of Permanent Injunction and Other Relief to reflect defendants' agreement to its entry.



CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing document and the attached Order have been served upon the defendants by facsimile transmission, confirmation via first class mail, on February 9, 2006, by delivery to:

John A. London, III
A Professional Law Corporation
10988 N. Harrells Ferry, Suite 18-A
Baton Rouge, LA 70816
Telephone: (225) 275-8100
Facsimile: (225) 273-1141

